

REMARKS

Claims 1-29 are pending in the present application. Applicant has amended claims 1, 2, 4, 6, 9, 10, 12, 13, 17, 21 and 29 and cancelled claims 3, 5, 7, 8, 14, 15, 18-20, 22-28 and 30-74 herein. Applicant has also added new claim 75 herein. Applicant respectfully requests reconsideration of the claims in view of the foregoing amendments and the following remarks.

Applicant has cancelled claims 3, 5, 7, 8, 14, 15, 18-20 and 22-28 and the objections and rejections associated therewith are now moot.

Support for the claim amendments can be found in the specification, figures, and original claims. Accordingly, applicant submits that no new matter has been introduced by the claim amendments.

Claims 1-19 were rejected under 35 U.S.C. 101.

Referring to independent claim 1, as amended, the claim recites in part: "calculating said maximum discharge power based on said maximum discharge current value, utilizing said arithmetic circuit. The concrete and tangible result of claim 1 is determining the "maximum discharge power."

Accordingly, because independent claim 1 recites a concrete and tangible result, applicant respectfully submits that claim 1, and claims 2, 4, 6, 9-13, 16, 17, 21 and 29 which depend from claim 1, recite statutory subject matter under 35 U.S.C. 101.

Claims 1-3, 6-9, 12, 13, 28 and 29 were rejected under 35 U.S.C. 103(a) based on Jae-Seung (U.S. Publication No. 2004/0000892) in view of Usuda et al. (U.S. Patent No. 5,658,682).

Referring to independent claim 1, as amended, the claim recites in part: "calculating a maximum discharge current of said battery utilizing said arithmetic circuit based on at least a minimum state-of-charge limit associated with said battery, said present state-of-charge of said battery, and a minimum voltage limit associated with said

battery such that a future output voltage of said battery does not fall below said minimum voltage limit and a future state-of-charge of said battery does not fall below said minimum state-of-charge limit associated with said battery..."

Referring to Jae-Seung, the reference is directed to a method for determining a maximum discharge current of a battery. Referring to Usuda et al., the reference is directed to a process for detecting remaining capacity of a battery. Neither reference, however, provides any teaching of: "calculating a maximum discharge current of said battery ...based on at least a minimum state-of-charge limit associated with said battery", as recited in claim 1 as amended. Further, neither reference provides any teaching of calculating the maximum discharge current of a battery such that "a future output voltage of said battery does not fall below said minimum voltage limit and a future state-of-charge of said battery does not fall below said minimum state-of-charge limit associated with said battery", as recited in claim 1 as amended.

Because Jae-Seung and Usuda et al., alone or in combination, do not teach each and every limitation of independent claim 1, and claims 2, 6, 9, 10, 12, 13 and 29 which depend from claim 1, applicant submits that claims 1, 2, 6, 9, 10, 12, 13 and 29 are allowable over these references.

Claims 4, 5, 11 and 16 were rejected under 35 U.S.C. 103(a) based on Jae-Seung in view of Usuda et al. and further in view of Plett (U.S. 6,534,954).

Neither Jae-Seung, nor Usuda et al., nor Plett provides any teaching of: "calculating a maximum discharge current of said battery ...based on at least a minimum state-of-charge limit associated with said battery", as recited in independent claim 1, as amended, and claims 4, 11 and 16 which depend either directly or indirectly from claim 1. Further, neither Jae-Seung, nor Usuda et al., nor Plett provide any teaching of calculating the maximum discharge current of a battery such that "a future output voltage of said battery does not fall below said minimum voltage limit and a future state-of-charge of said battery does not fall below said minimum state-of-charge limit associated with said battery", as recited in claim 1, as amended, and claims 4, 11 and 16 which depend either directly or indirectly from claim 1.

Because Jae-Seung, Usuda et al., and Plett, alone or in combination, do not teach each and every limitation of claims 4, 11 and 16, applicant submits that claims 4, 11 and 16 are allowable over these references.

The Examiner objected to claims 7, 10, 14, 15, 17-26. Claims 7, 14, 15, 18-20 and 22-26 have been cancelled. Applicants submit that claims 10, 17 and 21, which depend from independent claim 1, are allowable for the same reasons as discussed above with respect to claim 1.

Applicant has added new independent claim 75 to claim particular aspects of the invention. Support for new claim 75 can be found in the specification, figures and original claims. Accordingly, applicant submits that no new subject matter has been introduced by claim 75. Applicant submits that claim 75 is allowable for at least the same reasons as claim 1.

In view of the foregoing amendments and remarks, applicant respectfully submits that the instant application is in condition for allowance. Such action is most earnestly solicited. If for any reason the Examiner feels that consultation with applicant's attorney would be helpful in the advancement of the prosecution, the Examiner is invited to call the telephone number below for an interview.

If there are any charges due with respect to this response document or otherwise, please charge them to Deposit Account No. 06-1130.

Respectfully submitted,

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